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## FEDERAL COMMUNICATIONS COMMISSION WASHINGTON, D.C. 20554

28 FEB 1993

THE SECRETARY - ROOM 222

IN REPLY REFER TO:

7330-7/1700A3

RECEIVED

Honorable Thad Cochran United States Senate Washington, D.C. 20510

APR 1 2 1993

Dear Senator Cochran:

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

This is in reply to your letter of February 5, 1993, in which you inquired on behalf of several of your constituents, regarding the <u>Notice of Proposed Rule Making (Notice)</u> in PR Docket No. 92-235, 57 FR 54034 (1992). This <u>Notice</u> proposes comprehensive changes to the Commission's Rules governing the private land mobile radio services operating in the frequency bands below 512 MHz.

Those rules have been in place for over 20 years. While they have been amended on numerous occasions since that time, they nonetheless embody regulatory concepts based on yesteryear's technology and, unless changed, will stifle the growth and development of private land mobile radio technology and services, which are used primarily by local governments, public safety entities, and businesses to enhance their productivity. The Commission issued the Notice, therefore, to solicit comment from all interested persons on a wide variety of proposals designed to increase channel capacity, to promote more efficient use of these channels, and to simplify the rules governing use of these channels.

The proposals in the <u>Notice</u> reflect to a large extent concepts and proposals submitted in the initial inquiry stages of this proceeding. None of the proposals set forth in the <u>Notice</u>, however, are engraved in stone. Indeed, the proposals represent our best judgment at this stage of the proceeding on steps that must be taken to improve the regulatory climate for users of the private land mobile radio spectrum below 512 MHz. To this end, some of the critical issues that must be resolved relate to channel spacing, the amount of time provided to users to convert to new technical standards, how the 300 to 500 percent increase in channel capacity should be licensed, how the rules should be written to provide users technical flexibility, and whether the current nineteen radio services should be consolidated and, if so, how. I have enclosed for your information a copy of that part of the <u>Notice</u> that describes the numerous proposals.

Your constituents are specifically concerned about the impact of these changes on radio control (R/C) hobby users. Enclosed is a discussion paper concerning our proposals for the 72-76 MHz band. In short, we expect there would be no adverse impact on R/C operations because of any proposal contained in the Notice.

No. of Copies rec'd

We are, of course, sensitive to the concerns of both users of private land mobile radio spectrum and R/C hobbyists. We will, therefore, take into careful consideration all their comments. Your constituents' concerns will be fully evaluated when we develop final rules in this proceeding. As indicated in the Notice, we remain convinced that without significant regulatory change in radio operations in the bands below 512 MHz, the quality of communications in the private land mobile radio services will continue to deteriorate to the point of endangering public safety and the national economy.

We want to thank you for your interest in this proceeding. Comments on the proposals set forth in the <u>Notice</u> are due May 28, 1993, and Reply Comments are due July 14, 1993. We expect final rules to be issued in 1994. We urge your constituents to file formal comments on all aspects of the proposals.

Sincerely,

Ralph A. Hiller

Chief, Private Radio Bureau

Enclosures: Notice Order Discussion paper

## Congressional

DUE OBC: 2-18-93

PLEASE MAKE 2 EXTRA COPIES OF INCOMING, ATTACHMENTS, AND REPLY FOR DOCKET FILE, ROOM 222.

CONGRESSIONAL CORRESPONDENCE TRACKING SYSTEM 02/10/93

LETTER REPORT

THAD COCHRAN

United States Senate

**WASHINGTON, DC 20510-2402** 

92-235 516

COMMITTEE ON APPROPRIATIONS

**COMMITTEE ON** 

AGRICULTURE, NUTRITION,

AND FORESTRY

COMMITTEE ON LABOR AND HUMAN RESOURCES

SELECT COMMITTEE ON INDIAN AFFAIRS

February 5, 1993

Mrs. Lou Sizemore, Congressional Liaison Federal Communications Commission 1919 M Street, N.W. Washington, D.C. 20554

Dear Lou:

Enclosed please find a group of letters from my constituents concerning their opposition to the proposed Federal Communications Commission Notice of Proposed Rule Making NPRM-PR Docket 95-235.

I would appreciate your including their comments in the Docket.

Your assistance in this matter is greatly appreciated.

Sincerely,

THAD COCHRAN

United States Senator

TC/mp

Grenada Mississippi January 27, 1993

The Honorable Thad Cochran 487 Russell Senate Building Washington DC 20510

Attn: Grant Fox

Attached is the information regarding the FCC Docket 92-235 you requested in your telephone conversation with Mr. Gary Burrus.

I am also inclosing a copy of the letter that I personally wrote the FCC in regard to this matter.

To put this all in place you have to understand several things ie:

- 1. There are an estimated half million model enthusiasts in the USA and at least half of these have one or more model airplanes and or helicopters.
- 2. This is not a fly by night outfit of some children out on sunday flying a 25 cent airplane; this is BIG business. Some of these airplanes cost thousands of dollars and are operated by dedicated modelers who have devoted years of their life to this sport.
- 3. There are thousands of clubs all over the USA that promote this sport both by putting on demonstrations of flying, taking part in civic affairs and encouraging young people to get interested in aviation. Many of the people in these clubs are full fledged licensed pilots; commercial as well as private. Our club The TRI CITY CLOUD DANCERS has at present 38 members and is by comparison a small club. Some clubs in the larger cities have three or four times that many.
- 4. There are thousands of people in the USA that make their living working in either the manufacturing or the sale and distribution of the products necessary to support this hobby. Its a multi million dollar business.

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Because of the above and on behalf of all the Model industry we beseach you to use your influence with the FCC to stop this new rule making before it destroys a multi million dollar industry as well as taking away a sport that is enjoyed by so many thousands of people.

Thank you for your interest in this matter.

K.B. Blewlock Secretary for the

Tri City Cloud Dancers

675 Cooley Ave. Grenada MS 38901 The Honorable Thad Cochran U.S. Senate Washington, DC 20510

Dear Senator Cochran,

I have been interested in aviation for many years. My father was a P-51 fighter pilot in World War II. Due to the expense of full scale aviation, I have become involved in Model Airplane Aviation. I enjoy the building and construction phases as well as the actual flying of my aircraft. I personally own 3 radios, 6 airplanes and have a basement full of other products that are necessary to my hobby/sport.

I am very concerned about the proposed rule that is currently under consideration by the Federal Communications Commission (FCC). The proceeding is a PR Docket 92-235. If adopted the new rule will greatly reduce the usability of frequencies currently assigned for R/C model use and increase the risk of accidents and attendant liability.

Our radio control frequencies are in the 72-76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio-control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

The notice of Proposed Rule Making (NPRM) in PR Docket 92-235 replaces Part 90 of the rules with a new Part 88. Part 90 allows for safe use of R/C aircraft and surface models by keeping 10 khz spacing between fixed commercial users and frequencies used by R/C enthusiasts. The new Part 88 will allow mobile users on frequencies within 2.5 khz of frequencies available to us, eliminating safe use of at least 31 of the 50 channels on the 72 MHz band (for R/C aircraft) and 10 of the 30 frequencies of the 75 MHz

I don't think it is wise of the FCC to seek to expand the operation conditions of land mobile radio users at the expense of the radio-control modelers. The FCC may not think we are as important as business users of radio, but we have a considerable investment in our models and our radio equipment. It is a sizable industry that must be saved from these detrimental FCC actions. The hobby provides many hours of enjoyment to hundreds of thousand of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposal PR Docket 92-235 for the 72-76 MHz band. We all need your help urgently because the FCC has a deadline of February 26, 1993 after which it may become more difficult to avoid halting these proposals from going into effect.

Sincerely,

um

W.R. (Rob) Gardner Jr. 429 Goodlett St.

Tupelo, MS 38801

January 28, 1993

The Honorable Senator Thad Cochran United States Senate Washington, D.C. 20510

Dear Senator Cochran,

I have been interested in model aviation for approximately 32 years. I am very active in a local club whose members enjoy constructing and operating radio controlled model airplanes. I am very concerned about

operators participate. We need the use of our full compliment of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to

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The Honorable Thad Cochran United States Senate Washington, D.C. 20510

January 30, 1993

Dear Senator Thad Cochran:

I have been interested in aviation for as long as I can remember. I am very active in a local club whose members enjoy constructing and operating radio controlled model airplanes.

I am very concerned about proposed rules that are currently under consideration by the (FCC) Federal Communication Commission. The proceeding is PR docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model

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Senator Thad Cochran United States Senate Washington, DC 20510

Dear Sir:

I'm writing to express my concern over the Federal Communication Commission's proposed new rule making (NPRM-PR Docket 92-235) concerning frequency restructuring, specifically changes to Part 88 and Part 95.

other Americans. I'm also the Secretary /Treasurer of a fairly large Model Aviation Club (Mississippi Aces, Inc.) located in the south Pearl River County area. The proposed changes in frequency allotments will have a tremendous negative impact on this hobby, both financially and

more importantly in safety.

The need for additional frequency allotments for commercial users is understood, but the needs of commercial users should not come at the expense of other users such as the Radio Controlled Model Hobby/Industry. The FCC as the Government Agency that oversees and regulates frequency allotment and use, should understand the necessity of maintaining CLEAR channels that are free of interference. The proposed changes would do just the opposite. First, it would allow mobile transmitters (cellular phones) with four times the power output that Remote Control Radio transmitters are restricted to by regulation, and at frequencies that are only 2.5 kHz away from our assigned frequencies. Second, the technical specifications proposed for this new equipment would allow LEGAL frequency tolerances that would place their transmission signals directly on TOP OF OUR assigned frequencies.

This interference JAMMING of our assigned frequencies will create a safety hazard of unreasonable proportions. Let me explain my point; I personally fly many large model aircraft, that by the way are becoming more and more common in the hobby. My personal model aircraft have wing spans that range from a minimum of 6 feet up to 10 feet, with one under construction with a wing span of 12 feet. These miniature aircraft weigh from 5 pounds up to around 25 pounds, and fly at speeds of from 50 to 100 mph. I must point out that my models are not fast by todays standards, many models flown today can exceed 150 mph with ease. Do you have any idea what damage a 5 pound object moving at 50 mph can do? Then try to think of the damage a 25 pound object moving at 100 mph could do! Loosing control of one of these miniature aircraft due to frequency JAMMING would be totally unacceptable.

If the new rules are adopted, I will have three choices to follow as to my hobby. First, would be to throw away over \$5,000 worth of radio equipment (much of it being less than two years old), and buying a few thousands of dollars worth of new radio equipment. Second, would be to ignore the danger, to pretend nothing is wrong, and accept loosing control of my models every so often due to interference as a normal occurrence. Or, I could just give up the hobby, as being to hazardous due to the incompetency of the Government Agency that governs the Radio Frequency

Spectrum.

Since I have no intention of giving up my hobby, I hope you will use your influence on our behalf to convince the FCC that the proposed rule changes are in error, and have the FCC withdraw or at least modify the proposal.

Sincerely.

Gregory G. Sakala

5239 Sycamore Drive Jackson, MS 39212 January 29, 1993

93 FER -1 12 14 69

The Honorable Thad Cochran United States Senate Washington, D.C. 20510

Dear Senator Cochran:

I am 47 years old and derive many hours of enjoyment from constructing and operating radio controlled model airplanes. I have been interested in aviation for as long as I can remember. I am very active in a local club called "Capital City Radio Control" whose members enjoy constructing and operating radio controlled model airplanes.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the 50 frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if these new rules are adopted. 

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies is diminished as proposed by the FCC, the remaining frequencies will become congested and the margin of safety will be greatly decreased.

Please understand that many model airplanes have wing spans up to 10 feet and weigh as much as 30 or 40 pounds. The models themselves are expensive to build; but more to the point, they are capable of causing property damage, serious injury, or even death if radio interference causes the operator to lose control of the craft. We often fly our models at organized events and contests where hundreds of operators participate. We need the use of our full complement of radio frequencies in order to assure a safe flying environment.

I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Sincerely,

pill Bolow

Steven R. Stack 3738 Rainey Road Jackson, MS 39212 (601) 373-7016 1993 President Capitol City Radio Control International Miniature Aircraft Assoc. (IMAA) #12685 Academy of Model Aeronautics (AMA)#389778

January 29, 1993

The Honorable Thad Cochran 326 Russell Senate Office Bldg. Washington, DC 20510

**Re:** PR Docket 92-235

**Dear Senator Cochran:** 

I own 10 pieces of radio equipment at a cost of \$2200.00 that would be unusable if the frequency assignment (PR Docket 92-235) is adopted. The models I build weigh as much as 30 pounds and operate at 140 mph.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

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Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72 - 76 MHz band.

Sincerely,

Steven R. Stack

lc



P. O. Box 3507 • 419 South Gallatin St. • Jackson, MS 39207 • (601) 969-5668

January 29, 1993

The Honorable Thad Cochran United States Senate Washington, DC 20510

Dear Senator Cochran:

Re: PR Docket 92-235

During my life, I have had many varied interests and hobbies. Avaition has been one of my primary interests since childhood. As a child I started building and plying model aircraft. My military service was as a member of the 172nd Military Airlift Group in the Mississippi Air National Guard. Although still a member of our nation's taxpaying workforce, I derive many hours (although not as many as I would like) of enjoyment from constructing and flying RADIO CONTROLLED MODEL AIRCRAFT. I am a Past President of the Mid Mississippi R C Club, a local club consisting of approximately thirtyfive members. My monetary investment in RC equipment is large and the proposed rules could make four of my six radio systems unsafe or illegal to use.

I am very concerned about proposed rules that are currently under consideration by the FCC. The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72-76 MHZ band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other. Now the FCC wants to create more land mobile frequencies by splitting them into narrower bandwidths and rearranging the band plan. As a result, many land mobile frequencies will move closer to the radio control frequencies and cause interference to radio control operations. I am told that of the fifty frequencies that are presently available for radio control of model airplanes, only 19 frequencies will be left if the new rules are adopted.

When we fly our model airplanes under radio control, we go to great lengths to assure the safety of the operators and bystanders and the protection of property. Many of our safety precautions involve the careful coordination and use of the radio control frequencies. If the number of usable frequencies

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PLEASE HELP ME CONTINUE THE SAFE ENJOYMENT OF MY PASTIME BY NOT ALLOWING THE FCC TO CARRY OUT ITS PROPOSALS FOR THE 72-76 MHz BAND.

Sincerely,

Richard A. Manning 107 Sweet Gum Road

Brandon, MS 39042

The Honorable Thad Cochran United States Senate Washington, DC 20510

Dear Senator Cochran;

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I am a military retiree (27 years service) now employed as a Naval Science Instructor at a local High School. I have been an active radio controlled model airplane enthusiast for the past 20 years. I compete both locally and nationally. As a flight instructor, I have introduced many youths and some older folks also to the experience of controlling an aircraft in flight. Several of these young people have gone on to become aviators (one is a pilot for U.S. Air and another is enrolled in the Air Force Academy) but they all continue to enjoy radio controlled flying. I am currently flying my models at least every weekend and on an occasional afternoon after school lets out.

Personally, I have in excess of \$5,000 invested in this sport. I own 9 radio control units and, right now, I have 5 aircraft ready to fly. These are mostly scale models of full sized aircraft. One is a Piper Cub, another is a Corsair as flown by the Marines in the Pacific during WWII. I also have a model of an Air Force P-47 Thunderbolt and two general sport type aircraft. I have two additional aircraft under construction and several more kits waiting in the wings. Flying, building, and enjoying the camaraderie with the other flyers has become more than just a hobby or sport, it is an avocation. It is the stress relief that allows me to cope with dealing with 130 high school students every day.

I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The proceeding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

Our radio control frequencies are in the 72 - 76 MHz band. This band is primarily used for private land mobile dispatch operations. However, our radio control frequencies in this band are far enough apart from the land mobile frequencies that we have been able to share the band without either use interfering with the other.

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I do not think it is wise of the FCC to seek to improve the operating conditions of land mobile radio users at the expense of radio control modelers. The FCC may not think we are as important as business users of radios, but we have a considerable investment in our models and in our radio equipment. The hobby provides many hours of enjoyment to thousands of people like myself and contributes to the advancement and development of the commercial aviation industry.

Please help me continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72 -

January 28, 1993

The Honorable Thad Cochran The United States Senate Washington, D.C. 20510

Dear Sir:

Subject: Negative Impact of FCC NPRM-PR Docket 92-235

I am a retired NASA engineer and I looked forward in my retirement years to having more time to enjoy designing, flying, and competing with radio-controlled model aircraft (R/C models). This has been my principal hobby and occasional business for over 40 years.

A few years ago, the FCC increased the number of radio bands we and other land mobile service users could use. At that time, all R/C modelers had to replace very expensive radio equipment, but it was worth it because of the increased number of bands. Like many others, I had to scrap \$900 worth of good, but illegal, radio equipment, and spend over \$1200 to replace it (with middle-priced radio equipment).

Now, the FCC has issued a Notice of Proposed Rule Making (NPRM-PR Docket 92-235) which will prove devastating to the large number of R/C modelers.

Our frequency regulations were established in Part 95, but now the FCC is proposing changes in these frequencies in another document, Part 88; no notice was given for this cross-over.

To the point: The FCC proposes to introduce additional radio bands between those bands presently used by R/C modelers, and the users of the new bands may use extremely powerful mobile transmitters. This will not only

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We will be put out of this activity by the cost of either equipment or insurance should PR Docket 92-235 become binding, and a great technological, recreational activity will be lost in this nation. (Did you know that two NASA engineers used their own model designs and equipment to demonstrate that the Shuttle could be safely carried on and released from a mother-ship - before such a thing was proposed by NASA? There are too many examples to list.)

There are many of us in Mississippi who will be financially affected should PR Docket 92-235 become binding.

Please provide whatever support you feel is appropriate. Time is short; the FCC needs responses by February 26, 1993. I look forward to hearing from you and learning how PR Docket 92-235 fares.

Sincerely, Survey of the second secon	· · · · · · · · · · · · · · · · · · ·
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## JAMES F. FIELDS 15424 Northrup Cuevas Road Children 15424 Northrup Children 15424

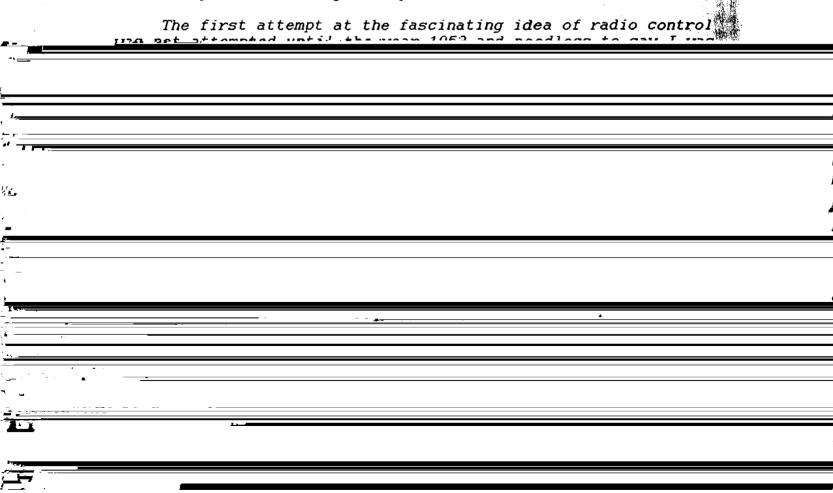
January 29. 1993

THE HONORABLE THAD COCHERAN 326 Russell Senate Office Building Washington. DC 20510

Dear Senator Cocheran.

In reference to the proposed Federal Communication Commission Notice of Proposed Rule Making (NPRM-PR Docket 95-235), the following comments are submitted for your consideration:

My first attempt, although unsuccessful, at model airplane construction was attempted fifty-six years ago at the ripe old age of seven. The hobby has provided me untold hours of enjoyment and pleasure through the years.



could inflict serious bodily harm should loss of control occur as a result of "capture" by a more powerful radio station in the same frequency band. Additionally, there is about \$12,000.00 invested in the radios, engines and airframes of my three and one half models. I would hate to think my investment is in jeopardy.

Presently, I am serving as President of the Mississippi Coast Radio Control Club which is chartered under the Academy of Model Aeronautics and I represent sixty active members. Our club represents a huge investment in radio equipment that would be seriously affected by the FCC approval of other radio services having higher powered stations interspersed within our radio control frequencies. Furthermore, such an action may result in a serious safety problem where serious injury could result to the unsuspecting.

Therefore, I recommend that you do all within your power to prevent the implementation of this proposed rule change.

JAMES F. FIELDS

President

MS Coast RC Club

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The Honorable Senator Thad Cochran United States Senate Washington, D.C. 20510

Dear Senator Cochran,

I have been interested in model aviation for approximately 32 years. About 2 years ago I became disables and started building and trying to fly model airplanes. I am very concerned about proposed rules that are currently under consideration by the Federal Communications Commission (FCC). The preceding is PR Docket 92-235. If adopted, the new rules will greatly reduce the usability of frequencies currently assigned for model use and increase the risk of accidents and attendant liability for controlling model airplanes.

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Please help me to continue the safe enjoyment of my pastime by not allowing the FCC to carry out its proposals for the 72-76 MHz band.

Respectfully,

Don Heiden Rt. 16, Box 141 Meridian, MS 39301 (601) 693-5260